

Remarks

Claims 46-50, 55-58 and 81 are pending in the present application. Claims 46-50 and 55-58 are rejected and claim 81 is considered allowable if written in independent form. With this response, Applicants have canceled claims 46 and 81 and rewritten these claims as new claims 82 and 83.

Claims 46-58 are rejected as containing subject matter which is neither described or enabled by the specification as filed. Claims 51-54 already have been canceled in a previous amendment. Therefore, Applicants submit that the rejection is moot with respect to these claims. Applicants have canceled claim 46 and rewritten this claim as new claim 82. The dependencies of claims 47-50 and 55-56 have been changed to reflect this. New claim 82 is drawn to complexes in which the peptide is selected from recited sequences or a fragment of these sequences that comprise at least 6 contiguous amino acids of the sequence.

As Applicants understand it, the Office has rejected the claims on the grounds that the main claim encompasses peptides having a number of undisclosed amino acid residues at one or both ends of the defined core sequence. This claim breadth, the Office asserts, results in the majority of peptides falling within the claim being undescribed in, and, due to this lack of description and lack of guidance, also not enabled by the specification. The Office has stated, however, that the peptides of the recited sequences are described and that the skilled artisan would be able to make fragments which are subsequences of SEQ ID NOs: 2, 3 and 19-39 without undue experimentation.

Applicants believe that new claim 82 overcomes the rejections based on an asserted non-compliance with 35 U.S.C. §112, first paragraph (written description and enablement). The

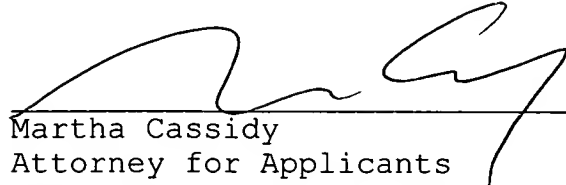
new claim encompasses the peptides of SEQ ID NOs: 2, 3 and 19-39 and fragments of these peptides at least 6 amino acids long, all of which are subsequences of the recited SEQ ID NOs. Applicants submit that each and every sequence encompassed by this claim is supported in the original specification by more than adequate written description and enabling disclosure. The claim as rewritten is supported by, for example, disclosure of the sequences themselves, original claims 2 and 11, which refer to complexes as claimed including fragments of the defined sequences, and the specification at, *inter alia*, page 4 (partial sequences of at least 6 amino acids), page 11 (MHC class II molecule types) and page 14 (examples of complexes and how to make them). Applicants therefore request favorable consideration of the claims at this time.

On page 5 of the Office Action, the examiner states that claim 81 is objected to as dependent on a rejected base claim. Applicants believe that the amendments to claim 46 (now claim 82) obviate this objection, however in light of the examiner's comments, Applicants have rewritten this claim as new claim 83, in independent form. This new claim is based on the new claim 82 and is drawn to complexes where the peptide is at least 12 contiguous amino acids of the sequences as recited in canceled claim 81. It was not intended to change the scope of claim 81 in rewriting the claim. Applicants therefore request allowance of claim 83 at this time.

Applicants believe that the application is in condition for allowance and request favorable action. If any further issues remain, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

By



---

Martha Cassidy  
Attorney for Applicants  
Registration No. 44,066  
ROTHWELL, FIGG, ERNST & MANBECK, p.c.  
Suite 800, 1425 K Street, N.W.  
Washington, D.C. 20005  
Telephone: (202) 783-6040

2923-335.am4.wpd